

Mollohan	Roberts	Tanner
Montgomery	Rogers	Tate
Moorhead	Rohrabacher	Tauzin
Moran	Ros-Lehtinen	Taylor (MS)
Morella	Rose	Taylor (NC)
Murtha	Roth	Tejeda
Myers	Roukema	Thomas
Myrick	Roybal-Allard	Thompson
Nadler	Royce	Thornberry
Neal	Rush	Thornton
Nethercutt	Sabo	Thurman
Ney	Salmon	Tiahrt
Norwood	Sanders	Torkildsen
Nussle	Sawyer	Torres
Oberstar	Saxton	Torricelli
Obey	Schaefer	Towns
Olver	Schiff	Trafigant
Ortiz	Schumer	Upton
Orton	Scott	Velazquez
Owens	Seastrand	Vento
Packard	Serrano	Visclosky
Pallone	Shaw	Volkmer
Pastor	Shays	Vucanovich
Paxon	Shuster	Walsh
Payne (NJ)	Sisisky	Wamp
Pelosi	Skaggs	Ward
Peterson (MN)	Skeen	Waters
Pickett	Skelton	Watt (NC)
Pombo	Slaughter	Watts (OK)
Pomeroy	Smith (MI)	Waxman
Porter	Smith (NJ)	Weldon (FL)
Portman	Smith (TX)	Weldon (PA)
Poshard	Smith (WA)	Weller
Pryce	Solomon	White
Quillen	Souder	Whitfield
Quinn	Spence	Wise
Radanovich	Spratt	Wolf
Rahall	Stark	Woolsey
Ramstad	Stearns	Wynn
Reed	Stenholm	Yates
Regula	Stockman	Young (AK)
Richardson	Stokes	Young (FL)
Riggs	Stupak	Zeliff
Rivers	Talent	Zimmer

## NAYS—25

Bachus	Hall (TX)	Roemer
Coburn	Hancock	Sanford
Cooley	Hoekstra	Scarborough
Cox	Istook	Sensenbrenner
DeLay	Johnson, Sam	Shadegg
Doolittle	Largent	Stump
Duncan	Minge	Walker
Ehrlich	Neumann	
Geren	Petri	

## NOT VOTING—20

Bunn	Heineman	Rangel
Durbin	Jacobs	Schroeder
Funderburk	Lincoln	Studds
Gephardt	Oxley	Wicker
Gibbons	Parker	Williams
Goodling	Payne (VA)	Wilson
Hayes	Peterson (FL)	

□ 242

Mr. BACHUS and Mr. HALL of Texas changed their vote from "yea" to "nay."

So the conference report was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## THE JOURNAL

The SPEAKER pro tempore (Mr. LAHOOD). Pursuant to clause 5 of rule I, the pending business is the question on agreeing to the Speaker's approval of the Journal of the last day's proceedings.

Pursuant to clause 1, rule I, the Journal stands approved.

# REPORT ON RESOLUTION PROVIDING FOR CONSIDERATION OF H.R. 4134, AUTHORIZING STATES TO DENY PUBLIC EDUCATION BENEFITS TO CERTAIN ALIENS NOT LAWFULLY IN THE UNITED STATES

Mr. MCINNIS, from the Committee on Rules, submitted a privileged report (Rept. No. 104-834) on the resolution (H. Res. 530) providing for consideration of the bill (H.R. 4134) to amend the Immigration and Nationality Act to authorize States to deny public education benefits to aliens not lawfully present in the United States who are not enrolled in public schools during the period beginning September 1, 1996, and ending July 1, 1997, which was referred to the House Calendar and ordered to be printed.

## PRESIDENTIAL AND EXECUTIVE OFFICE ACCOUNTABILITY ACT

The SPEAKER pro tempore. The pending business is the question of suspending the rule and passing the bill, H.R. 3452, as amended.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from California [Mr. HORN] that the House suspend the rules and pass the bill, H.R. 3452, as amended, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 410, nays 5, not voting 18, as follows:

[Roll No. 427]

## YEAS—410

Abercrombie	Brownback	Davis
Ackerman	Bryant (TN)	de la Garza
Allard	Bryant (TX)	Deal
Andrews	Bunning	DeFazio
Archer	Burr	DeLauro
Armey	Burton	DeLay
Bachus	Buyer	Dellums
Baesler	Callahan	Deutsch
Baker (CA)	Calvert	Diaz-Balart
Baker (LA)	Camp	Dickey
Baldacci	Campbell	Dicks
Ballenger	Canady	Dingell
Barcia	Cardin	Dixon
Barr	Castle	Doggett
Barrett (NE)	Chabot	Dooley
Barrett (WI)	Chambliss	Doolittle
Bartlett	Chapman	Dornan
Barton	Chenoweth	Doyle
Bass	Christensen	Dreier
Bateman	Chrysler	Duncan
Becerra	Clay	Dunn
Beilenson	Clayton	Edwards
Bentsen	Clement	Ehlers
Bereuter	Clinger	Ehrlich
Berman	Coble	Engel
Bevill	Coburn	English
Bilbray	Coleman	Ensign
Bilirakis	Collins (GA)	Eshoo
Bishop	Collins (IL)	Evans
Bliley	Collins (MI)	Everett
Blumenauer	Combest	Ewing
Blute	Condit	Farr
Boehlert	Conyers	Fattah
Boehner	Cooley	Fawell
Bonilla	Costello	Fazio
Bonior	Coyne	Fields (LA)
Bono	Cramer	Fields (TX)
Borski	Crane	Filner
Boucher	Crapo	Flake
Brewster	Creameans	Flanagan
Browder	Cubin	Foglietta
Brown (CA)	Cummings	Foley
Brown (FL)	Cunningham	Forbes
Brown (OH)	Danner	Ford

Fowler	Lewis (KY)	Rogers
Fox	Lightfoot	Rohrabacher
Frank (MA)	Linder	Ros-Lehtinen
Franks (CT)	Lipinski	Rose
Franks (NJ)	Livingston	Roth
Frelinghuysen	LoBiondo	Roukema
Frisa	Lofgren	Roybal-Allard
Frost	Longley	Royce
Furse	Lowey	Rush
Gallegly	Lucas	Sabo
Ganske	Luther	Salmon
Gejdenson	Maloney	Sanders
Gekas	Manton	Sanford
Geren	Manzullo	Sawyer
Gilchrest	Markey	Saxton
Gillmor	Martinez	Scarborough
Gilman	Martini	Schaefer
Gonzalez	Mascara	Schiff
Goodlatte	Matsui	Schumer
Goodling	McCarthy	Scott
Gordon	McCollum	Seastrand
Goss	McCrery	Sensenbrenner
Graham	McDade	Serrano
Green (TX)	McDermott	Shadegg
Greene (UT)	McHale	Shaw
Greenwood	McHugh	Shays
Gunderson	McInnis	Shuster
Gutierrez	McIntosh	Sisisky
Gutknecht	McKeon	Skaggs
Hall (OH)	McKinney	Skeen
Hall (TX)	McNulty	Skelton
Hamilton	Meehan	Slaughter
Hancock	Meek	Smith (MI)
Hansen	Menendez	Smith (NJ)
Harman	Metcalfe	Smith (TX)
Hastert	Meyers	Smith (WA)
Hastings (FL)	Mica	Solomon
Hastings (WA)	Millender	Souder
Hayworth	McDonald	Spence
Hefley	Miller (CA)	Spratt
Hefner	Miller (FL)	Stark
Herger	Minge	Stearns
Hilleary	Mink	Stenholm
Hinchey	Moakley	Stockman
Hobson	Molinari	Stokes
Hoekstra	Mollohan	Stump
Hoke	Montgomery	Stupak
Holden	Moorhead	Talent
Horn	Moran	Tanner
Hostettler	Morella	Tate
Houghton	Murtha	Tauzin
Hoyer	Myers	Taylor (MS)
Hunter	Myrick	Taylor (NC)
Hutchinson	Nadler	Tejeda
Hyde	Neal	Thomas
Inglis	Nethercutt	Thompson
Istook	Neumann	Thornberry
Jackson (IL)	Ney	Thornton
Jackson-Lee	Norwood	Thurman
(TX)	Nussle	Tiahrt
Jefferson	Oberstar	Torkildsen
Johnson (CT)	Obey	Torres
Johnson (SD)	Olver	Torricelli
Johnson, Sam	Ortiz	Towns
Johnston	Orton	Trafigant
Jones	Owens	Upton
Kanjorski	Packard	Velazquez
Kaptur	Pallone	Vento
Kasich	Parker	Visclosky
Kelly	Pastor	Volkmer
Kennedy (MA)	Paxon	Vucanovich
Kennedy (RI)	Payne (NJ)	Walker
Kennelly	Pelosi	Walsh
Kildee	Peterson (MN)	Wamp
Kim	Petri	Ward
King	Pickett	Waters
Kingston	Pombo	Watts (OK)
Klecza	Pomeroy	Waxman
Klink	Porter	Weldon (FL)
Klug	Portman	Weldon (PA)
Knollenberg	Poshard	Weller
Kolbe	Pryce	White
LaFalce	Quillen	Whitfield
LaHood	Quinn	Wise
Lantos	Radanovich	Wolf
Largent	Rahall	Woolsey
Latham	Ramstad	Wynn
LaTourette	Reed	Yates
Laughlin	Regula	Young (AK)
Lazio	Richardson	Young (FL)
Leach	Riggs	Zeliff
Levin	Rivers	Zimmer
Lewis (CA)	Roberts	
Lewis (GA)	Roemer	

## NAYS—5

Clyburn	Hilliard	Watt (NC)
Cox	Johnson, E. B.	

## NOT VOTING—18

Bunn	Heineman	Rangel
Durbun	Jacobs	Schroeder
Funderburk	Lincoln	Studds
Gephardt	Oxley	Wicker
Gibbons	Payne (VA)	Williams
Hayes	Peterson (FL)	Wilson

□ 2100

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### APPOINTMENT OF ADDITIONAL CONFEREES ON H.R. 3539, FEDERAL AVIATION AUTHORIZATION ACT OF 1996

The SPEAKER pro tempore (Mr. LAHOOD). Without objection, the Chair appoints the following additional conferees from the Committee on Ways and Means for the consideration of section 501 of the bill, H.R. 3539, and sections 417, 906 and 1001 of the Senate amendment and modifications committed to conference: Messrs. ARCHER, CRANE, and GIBBONS.

There was no objection.

#### PRIVILEGES OF THE HOUSE—RESOLUTION REQUIRING THAT INVESTIGATION INTO MATTERS SURROUNDING COMPLAINT ON REPRESENTATIVE RICHARD GEPHARDT BE ASSIGNED TO SPECIAL COUNSEL

Mr. LINDER. Mr. Speaker, earlier in this day I served notice that I would ask the House to consider a question of privilege under rule IX. I respectfully request that that resolution be brought to the floor right now.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

H. Res. 531

Whereas, a complaint filed against Representative Gephardt alleges House Rules have been violated by Representative Gephardt's concealment of profits gained through a complex series of real estate tax exchanges and;

Whereas, the complaint also alleges possible violations of banking disclosure and campaign finance laws or regulations and;

Whereas, the Committee on Standards of Official Conduct has in other complex matters involving complaints hired outside counsel with expertise in tax laws and regulations and;

Whereas, the Committee on Standards of Official Conduct is responsible for determining whether Representative Gephardt's financial transactions violated standards of conduct or specific rules of the House of Representatives and;

Whereas, the complaint against Representative Gephardt has been pending before the committee for more than seven months and the integrity of the ethics process and the manner in which Members are disciplined is called into question; and

Whereas, on Friday, September 20, 1996 the ranking Democrat of the Ethics Committee, Representative James McDermott in a public statement suggested that cases pending

before the committee in excess of 60 days be referred to an outside counsel; now be it

Resolved that the committee on Standards of Official Conduct is authorized and directed to hire a special counsel to assist in the investigation of the charges filed against the Democrat Leader Representative Richard Gephardt.

Resolved that all relevant materials presented to, or developed by, the committee to date on the complaint be submitted to a special counsel, for review and recommendation to determine whether the committee should proceed to a preliminary inquiry.

The SPEAKER pro tempore. The resolution constitutes a question of privileges of the House.

MOTION TO TABLE OFFERED BY MR. ARMEY

Mr. ARMEY. Mr. Speaker, I offer a privileged motion.

The SPEAKER pro tempore. The Clerk will report the motion.

The Clerk read as follows:

Mr. ARMEY moves to lay the resolution on the table.

The SPEAKER pro tempore. The question is on the motion to table offered by the gentleman from Texas [Mr. ARMEY].

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

RECORDED VOTE

Mr. ARMEY. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 390, noes 11, answered “present” 7, not voting 25, as follows:

[Roll No. 428]

AYES—390

Abercrombie  
Ackerman  
Allard  
Andrews  
Archer  
Armedy  
Bachus  
Baesler  
Baker (CA)  
Baker (LA)  
Baldacci  
Ballenger  
Barcia  
Barr  
Barrett (NE)  
Barrett (WI)  
Bartlett  
Barton  
Bass  
Bateman  
Becerra  
Beilenson  
Bentsen  
Bereuter  
Berman  
Bevill  
Bilbray  
Bilirakis  
Bishop  
Bliley  
Blumenauer  
Blute  
Boehlert  
Boehner  
Bonilla  
Bonior  
Bono  
Brewster  
Browder  
Brown (CA)  
Brown (FL)  
Brown (OH)  
Brownback  
Bryant (TN)  
Bryant (TX)  
Bunning

Burr  
Burton  
Buyer  
Callahan  
Calvert  
Camp  
Campbell  
Canady  
Castle  
Chabot  
Chambliss  
Chapman  
Chenoweth  
Christensen  
Chrysler  
Clay  
Clayton  
Clement  
Clinger  
Clyburn  
Coble  
Coburn  
Coleman  
Collins (GA)  
Collins (IL)  
Collins (MI)  
Combest  
Condit  
Conyers  
Costello  
Cox  
Coyne  
Cramer  
Crane  
Crapo  
Creameans  
Cubin  
Cummings  
Cunningham  
Danner  
Davis  
Deal  
DeFazio  
DeLauro  
DeLay  
Dellums

Deutsch  
Diaz-Balart  
Dickey  
Dicks  
Dingell  
Dixon  
Doggett  
Dooley  
Doolittle  
Dornan  
Dreier  
Duncan  
Dunn  
Edwards  
Ehlers  
Ehrlich  
Engel  
English  
Ensign  
Eshoo  
Evans  
Everett  
Ewing  
Farr  
Fattah  
Fawell  
Fazio  
Fields (LA)  
Fields (TX)  
Finler  
Flanagan  
Foglietta  
Foley  
Forbes  
Ford  
Fowler  
Fox  
Frank (MA)  
Franks (CT)  
Franks (NJ)  
Frelinghuysen  
Frisa  
Frost  
Furse  
Gallegly  
Ganske

Gejdenson  
Gekas  
Geren  
Gilchrest  
Gillmor  
Gilman  
Gonzalez  
Goodlatte  
Goodling  
Gordon  
Graham  
Green (TX)  
Greene (UT)  
Greenwood  
Gunderson  
Gutierrez  
Gutknecht  
Hall (OH)  
Hall (TX)  
Hamilton  
Hancock  
Hansen  
Harman  
Hastert  
Hastings (FL)  
Hastings (WA)  
Hayworth  
Hefley  
Hefner  
Herger  
Hilleary  
Hilliard  
Hinchey  
Hoekstra  
Hoke  
Horn  
Hostettler  
Houghton  
Hoyer  
Hunter  
Hutchinson  
Hyde  
Inglis  
Istook  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Johnson (CT)  
Johnson (SD)  
Johnson, E. B.  
Johnson, Sam  
Johnston  
Jones  
Kaptur  
Kasich  
Kelly  
Kennedy (MA)  
Kennedy (RI)  
Kennelly  
Kildee  
Kim  
King  
Kingston  
Klecza  
Klink  
Knollenberg  
Kolbe  
LaFalce  
LaHood  
Lantos  
Largent  
Latham  
LaTourette  
Laughlin  
Lazio  
Leach  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Lightfoot  
Linder  
Lipinski  
Livingston

LoBiondo  
Lofgren  
Longley  
Lowey  
Lucas  
Luther  
Maloney  
Manton  
Manzullo  
Markey  
Martini  
Mascara  
Matsui  
McCarthy  
McCollum  
McCrery  
McDade  
McHugh  
McInnis  
McIntosh  
McKeon  
McKinney  
McNulty  
Meehan  
Meek  
Menendez  
Metcalfe  
Meyers  
Mica  
Millender-McDonald  
Miller (CA)  
Miller (FL)  
Mink  
Moakley  
Molinari  
Mollohan  
Montgomery  
Moorhead  
Moran  
Morella  
Murtha  
Myers  
Myrick  
Nadler  
Neal  
Nethercutt  
Neumann  
Ney  
Norwood  
Nussle  
Oberstar  
Obey  
Olver  
Orton  
Owens  
Packard  
Pallone  
Parker  
Pastor  
Paxon  
Payne (NJ)  
Petri  
Pickett  
Pombo  
Pomeroy  
Porter  
Portman  
Poshard  
Pryce  
Quillen  
Radanovich  
Rahall  
Ramstad  
Reed  
Regula  
Richardson  
Riggs  
Rivers  
Roberts  
Roemer  
Rogers  
Rohrabacher  
Ros-Lehtinen  
Rose

Roth  
Roukema  
Roybal-Allard  
Royce  
Rush  
Sabo  
Salmon  
Sanders  
Sanford  
Saxton  
Scarborough  
Schaefer  
Schumer  
Scott  
Seastrand  
Sensenbrenner  
Shadegg  
Shaw  
Shays  
Shuster  
Sisisky  
Skaggs  
Skeen  
Skelton  
Slaughter  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Solomon  
Souder  
Spence  
Spratt  
Stark  
Stearns  
Stenholm  
Stockman  
Stokes  
Stump  
Stupak  
Talent  
Tanner  
Tate  
Tauzin  
Taylor (NC)  
Thomas  
Thompson  
Thornberry  
Thornton  
Thurman  
Tiahrt  
Torkildsen  
Torricelli  
Towns  
Traficant  
Upton  
Velazquez  
Vento  
Visclosky  
Volkmer  
Vucanovich  
Walker  
Wamp  
Ward  
Waters  
Watt (NC)  
Watts (OK)  
Waxman  
Weldon (FL)  
Weldon (PA)  
Weller  
White  
Whitfield  
Wicker  
Wise  
Wolf  
Woolsey  
Wynn  
Yates  
Young (AK)  
Young (FL)  
Zeliff  
Zimmer

NOES—11

Doyle  
Holden  
Kanjorski  
Klug  
McDermott  
McHale  
Minge  
Peterson (MN)

Quinn  
Taylor (MS)  
Walsh

ANSWERED “PRESENT”—7

Borski  
Cardin  
Goss  
Hobson  
Pelosi  
Sawyer